



*TFW* 1723

PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

March 28, 2007

Applicants: Shinsuke SUZUKI et al

For: SEPARATING AGENT FOR AN ENANTIOMERIC ISOMER

Serial No.: 10/533 217 Group: 1723

Confirmation No.: 1388

Filed: April 28, 2005 Examiner: Therkorn

International Application No.: PCT/JP2003/014450

International Filing Date: November 13, 2003

Atty. Docket No.: 3400.P1420US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

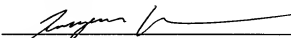
Sir:

In response to the Patent Office restriction requirement dated March 2, 2007, Applicants elect Group I, Claims 1-5, and Species I, gamma rays, with traverse. The Examiner is respectfully requested to reconsider this Restriction Requirement as a search for the elected invention would necessarily entail a search for the non-elected invention.

It has been noted that the Examiner indicated in the outstanding Restriction Requirement that Claim 1 was either obvious or anticipated by WO 99/51316. The Examiner is informed that this reference shows in general that an organic

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**CERTIFICATE OF MAILING**

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Terryence F. Chapman

compound supported on a support may be optionally polymerized by exposure to UV, gamma rays or microwaves. There is no specific example of using gamma rays. This reference merely shows a solid support to purify particles in a living body, such as nucleic acid, polysaccharides or viruses, or a polymeric molecule. An organic compound is carried on an inorganic support and polymerized and binded thereto. A sample may be absorbed thereon. This reference has no disclosure with respect to exposing an optical separator to gamma rays, while it still has optical separation ability, to immobilize the resulting polymer. Therefore, it is respectfully submitted that the presently claimed invention is patentably distinguishable over this reference.

Respectfully submitted,

  
Terryence F. Chapman

TFC/smd

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